

Hazard Mitigation Grant Administrative Plan

This document and its attachments can be found at the link listed below

<http://www.nh.gov/safety/divisions/hsem/forms.html>

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STATEMENT OF PURPOSE

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, and the Disaster Mitigation Act of 2000, Public Law 106-390, establishes a cost-sharing Hazard Mitigation Grant Program (HMGP) used to fund state and local hazard mitigation projects. This section is closely tied to the post disaster hazard mitigation plans defined and required in Section 409 of the Act, and is implemented following a Presidential declaration of a major disaster. Sections 322 and 404, in combination with several other state and federal programs and activities, help to form an overall pre- and post disaster hazard mitigation strategy for the State of New Hampshire and affected local governments in the State.

The purpose of this document is to delineate the general organization staffing, policies, and procedures which the State of New Hampshire will use when administering Section 404 HMGP and Section 322 Hazard Mitigation planning requirements.

This document will also be used for administering the programs listed in the Hazard Mitigation Assistance program (Pre-Disaster Mitigation Grant Program, Flood Mitigation Assistance, Severe Repetitive Loss, and the Repetitive Flood Claim Programs).

I. REFERENCES AND AUTHORITIES

A. The Robert T. Stafford Act of 1988, Public Law 93-288, as amended

B. Hazard Mitigation Relocation and Assistance Act of 1993, Public Law 103-181

C. Disaster Mitigation Act of 2000, Public Law 106-390

D. 44 Code of Federal Regulations

1. Part 206

2. Part 7, Nondiscrimination in Federally assisted Programs

3. Part 9, Floodplain Management and Protection of Wetlands

4. Part 10, Environmental Considerations

5. Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments

6. Part 14, Administration of Grants: Audits of State and Local Governments.

E. National Flood Insurance Acts of 1968 and 1973, as amended

F. 42 U.S.C. 4001 et seq.

II. DEFINITIONS

APPLICANT - A state agency, local government, eligible non-profit organization, or Indian tribe.

GOVERNOR’S AUTHORIZED REPRESENTATIVE (GAR) - The person empowered by the Governor to execute, on behalf of the state, all necessary documents for disaster assistance. In New Hampshire, the functions of the GAR and the State Coordinating Officer (SCO) may be assigned to the same individual.

GRANTS - An award of financial assistance. The total Hazard Mitigation Grant Program (HMGP) award shall not exceed fifteen percent (15%) of the estimated eligible disaster assistance programs under the Stafford Act. (For example: Public Assistance, Individual and Family Grant, and Disaster Housing Programs)

GRANTEE - The government entity to which a grant is awarded and accountable for the use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award document. (Except as noted in 44 CFR, Part 206.236 (g) Subpart N, the State is the Grantee.)

INTERAGENCY HAZARD MITIGATION TEAM (IHMT) - The mitigation team that is activated following flood-related disasters pursuant to the July 10, 1980 Office of Management and Budget directive on Nonstructural Flood Protection Measures and Flood Disaster Recovery, and the subsequent December 15, 1980 Interagency Agreement for Nonstructural Damage Reduction.

MEASURE - Any mitigation measure, project, or action proposed to reduce risk of future damage, hardship, loss or suffering from disasters. The term “measure” is used interchangeably with the term “project” in FEMA regulations.

PROJECT - Any mitigation measure, project, or action proposed to reduce risk of future damage, hardship, loss or suffering from disasters. The term “project” is used interchangeably with the term “measure” in FEMA regulations. 44 CRF Parts 201 and 206 Hazard Mitigation Planning and Hazard Mitigation Grant Program; Interim Final Rule - The All Hazard Mitigation Plan (AHMP) mandated by this law (and its subsequent modification and finalization) details the requirement to complete an AHMP to qualify for grant funding. During the phase-in period, plans may be completed concurrent with project development.

STATE ADMINISTRATIVE PLAN FOR THE HMGP - The plan developed by the State to describe the procedures for the administration of the Hazard Mitigation Grant Program (HMGP).

STATE COORDINATING OFFICER (SCO) - The person appointed by the Governor to act in cooperation with the Federal Coordinating Officer to administer disaster recovery

efforts. In New Hampshire, the functions of the SCO and GAR may be assigned to the same person.

STATE HAZARD MITIGATION OFFICER (SHMO) - The person designated by the GAR as the responsible individual on all matters related to the HMGP.

STATE HAZARD MITIGATION PLANNER - The individual responsible for preparing the Section 409 Plan.

STATE HAZARD MITIGATION TEAM - The state agencies and departments that have a role in developing, updating, and implementing an all-hazard state Hazard Mitigation Plan; and assisting in recommendations and selection of projects for the HMGP.

SUB-GRANT - An award of financial assistance under the grant by a grantee to an eligible Sub-grantee.

SUB-GRANTEE - The government or other legal entity to which a sub-grant is awarded and which is accountable to the grantee for the use of the funds provided. Sub-grantees can be a state agency, local government, private non-profit organization, or Indian tribe.

SUPPLEMENT - A request that the state submits to FEMA to add to, or modify the project(s) for which it initially requested Section 404 funding.

III. CONCEPT OF ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

A ORGANIZATION

1. Staffing Plan

Refer to Attachment 2.

2. Mitigation Staffing Assignments

a. New Hampshire Homeland Security & Emergency Management (HSEM) and various State agencies will provide personnel who will perform the following functions:

1. Governor's Authorized Representative (GAR) – Executive Director, HSEM
2. Alternate GAR – Chief of Planning & Program Management, HSEM
3. State Coordinating Officer (SCO) – Chief of Planning & Program Management, HSEM
4. Hazard Mitigation Officer (SHMO) – Hazard Mitigation Officer, HSEM
5. Finance Officer – Business Manager, HSEM
6. Members of the State Hazard Mitigation Team

b. Cost of State personnel assigned to administer the HMGP in the Joint Field Office (JFO) may be eligible when approved by the Regional Administrator. The State shall submit a staffing plan for the JFO within five (5) days of the opening of the office.

c. After the close of the JFO, costs of State personnel (regular time salaries only) for continuing management of the HMGP may be eligible when approved in advance by the Regional Administrator. The State shall submit a plan for such staffing in advance of the requirement.

3. Securing Other Specialized Technical Assistance

a. **Mitigation Project Development Assistance** – Assistance will be sought to implement the pilot expedited acquisition/demolition project development process. Skills necessary will include knowledge of HMGP application development, NFIP, and historic preservation/SHPO issues. FEMA may be asked to provide DAE's to assist.

- b. **Contractual Assistance** – Traditional areas where assistance is needed and it is either not possible or cost effective to have such skill sets on staff include data development for benefit-cost analysis, expert appraisal review, and specialized research assistance to complete NEPA requirements (i.e., records review by the New Hampshire Bureau of Natural Heritage and the State Historical Preservation Officer)

B. ASSIGNMENT OF RESPONSIBILITIES

1. Governor's Authorized Representative (GAR)

- a. The GAR is the state official ultimately responsible for ensuring that the state properly implements its responsibilities under Sections 322 and 404 in a Presidential disaster declaration. The GAR shall supervise/monitor the activities of the SHMO. The GAR is responsible for the submission of a Section 404 grant application to Federal Emergency Management Agency (FEMA), on behalf of the State of New Hampshire, including state agencies, local governments, and private non-profit organizations.

2. State Hazard Mitigation Officer (SHMO)

- a. The SHMO is responsible for the State's Mitigation Program and the Section 404 program, as well as other mitigation programs, including development and maintenance of this Administrative Plan and procedures.

- b. Major responsibilities include:

- 1. Prepare Section 404 program materials for distribution at briefings and training sessions
- 2. Train mitigation staff to assume their responsibilities
- 3. Provide direction for mitigation staff, as necessary
- 4. Disseminate Section 404 program information, initial application forms, and other program material.
- 5. Participate on mitigation team, brief local officials on mitigation; work with Local Points-of-Contact, as related to HMGP.
- 6. Ensure all required reports and correspondence are prepared and distributed.
- 7. Chair meetings of the State Project and Review Team, and follow-up on team recommendations, in support of HMGP.
- 8. Ensure project development and technical assistance is provided to interested communities.

9. Participate in, and set-up meetings, with State Project Review and Selection Team to discuss mitigation issues and problems.
10. Ensure project selection is in compliance with administrative plan guidelines and mitigation planning.
11. Submit projects selected to FEMA for review and approval.
12. Ensure proper grant management of HMGP projects approved by FEMA.
13. Monitor the status of projects
14. Ensure projects are completed in a timely manner and within federal rules and regulations governing the HMGP.
15. Ensure review of audits for compliance.
16. Ensure projects are closed properly and in a timely manner.

IV. FUNDING

A. FEMA will make HMGP monies available to the State of New Hampshire as follows:

1. The total federal funds available for the HMGP shall be up to 15% of the total Stafford Act assistance provided.

a. FEMA will provide an initial estimate of the total available HMGP funds to the State Mitigation Officer within ninety (90) days of the disaster declaration.

b. The first lock-in of HMGP funds will occur six (6) months following the declaration. HMGP funding estimates may be less than the original estimate.

c. The final lock-in of funds will be provided one (1) year from the date of declaration. HMGP available funds may increase but will not be less than the amount of funds identified at six (6) months.

2. The federal funds provided each community will be based on the cost-sharing provisions outlined in the FEMA-State Agreement or state legislation or as determined for each disaster. The federal share of projects may not exceed 75% of the cost of approved projects.

3. The non-federal share of projects may exceed the federal share, and it may be provided from a combination of federal, state, local, or private funding sources. However, Section 404 funds cannot be used as a substitute or replacement to fund projects or programs that are available under other federal authorities, or used as a match for other federal funds.

4. Applicants must invest in the project cost through cash or in-kind contributions accounting for 25% of the total project cost.

B. All potential funding sources from other agencies and programs will be explored, and utilized, wherever possible.

C. The State may set-aside 5% of the total HMGP available to use at its discretion. Any 5% project submitted to FEMA for approval must still meet environmental and benefit-cost requirements (although it is only a narrative BCA). Examples of projects eligible for 5% funding are experimental action and measures not identified in the State's priorities (As noted in Section VII of this document).

D. The State may utilize up to 7% of the total HMGP available to award planning grants to Sub-grantees receiving project funds through the program. Any community receiving HMGP funds must agree to develop an all hazard plan, complying with Section 322 requirements as amended in 44 CFR Parts 201 and 206.

V. ELIGIBILITY

A. Applicants

1. Applicant eligibility criteria will be in accordance with federal regulations. Eligible applicants are: state agencies, local governments, and certain eligible private non-profit organizations. New Hampshire does not have any Federally recognized Indian tribes. Any questions regarding the eligibility of an applicant will be resolved by the SHMO or, if necessary, by the GAR.
2. The entire State is declared for Hazard Mitigation with a presidential declaration. The process for selecting applicants is explained in Section VIII.

B. Projects

- 1. Eligible Project Types.** Projects may be of any nature that will result in protection to public or private property. Specific types of eligible projects include but are not limited to:
 - a. Acquisition of real property in a hazard area/physical relocation of structures from a hazard area;
 - b. Elevation of structures above the base flood elevation (BFE);
 - c. Retrofit of structures by wet or dry flood proofing (according to local code/building standards, compliant with NFIP standards); high wind strengthening; seismic strengthening of structures or their nonstructural components; application of wildfire resistant materials.
 - d. Minor structural flood control and storm water management measures, to include, debris basins; storm water detention basins or infiltration wells; culvert upgrades; diversions; flap gates or floodgates; and localized flood control system to protect critical facilities;
 - e. Vegetation Management, such as natural windbreaks; living snow-fences, shoreline stabilization; natural dune restoration using native vegetation and sand-fencing; urban-forest practices, landslide stabilization.
 - f. Phase I or II design, engineering, or feasibility study for complex mitigation projects that are reasonably expected to be funded and implemented;
 - g. The state may utilize up to 5% of total HMGP funds for non-technically proven projects that would not normally be funded under the program. Projects may be for, but are not limited to, research and development; generators for non-critical facilities;

development of codes and standards; education/public awareness programs with mitigation as central feature. Hazard warning systems, sirens, NOAA weather radios may be eligible if the declaration includes a tornado event. Projects funded through this initiative are determined on a case by case basis.

h. The state may utilize up to 7% of total HMGP funds for mitigation planning purposes. Projects may be for, but are not limited to, updating/revision of state and/or local mitigation plans (or portions thereof), or the creation of new local mitigation plans.

2. Minimum Project Eligibility Criteria

a. Federal Criteria. To be eligible for the HMGP, a project must meet the minimum project criteria established by FEMA:

1. Be in conformance with the Hazard Mitigation Plan developed as a requirement of section 322 of the Robert T. Stafford Act, 42 U.S.C.5165.
2. For all disasters declared on or after November 1, 2004 local government applicants for sub-grants must have an approved local mitigation plan in accordance with 44 CFR 201.6 prior to receipt of HMGP sub-grant funding.
3. Have a beneficial impact upon the designated disaster area, whether or not located in the designated area;
4. Be in conformance with 44 CFR Part 9, Floodplain Management and Protection of Wetlands, and 44 CFR Part 10, Environmental Considerations;
5. Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster. The grantee must demonstrate this by documenting that the project:
 - a. Addresses a problem that has been repetitive, or a problem that poses a significant risk if left unsolved.
 - b. Will not cost more than the anticipated value of the reduction in both direct damages and subsequent negative impacts to the area if future disasters were to occur. Both costs and benefits will be computed on a net value basis.
6. Has been determined to be the most practical, effective, and environmentally sound alternative after consideration of a range of options.
7. Contributes, to the extent practicable, to a long-term solution to the problem it is intended to address.

8. Considers long-term changes to the areas and entities it protects and has manageable future maintenance and modification requirements.

b. State Criteria. In addition to the above criteria, the State of New Hampshire has considered other basic criteria for evaluating potential Section 404 projects:

1. The community is participating and in good standing with the National Flood Insurance Program (NFIP). If a community is on probation with the NFIP they may still be awarded a grant under the HMGP. As a general rule, only mitigation activities involving pre-FIRM or post-FIRM compliant structures are eligible.

VI. PRE-DECLARATION AND JOINT FIELD OFFICE ACTIVITIES

A. Concept of Operations. As an event unfolds that may result in a Presidential disaster declaration, State Mitigation Branch staff initiate activities that, in the eventuality of a declaration, will lay the groundwork for appropriate and successful project applications, will maximize the technical assistance given limited resources, and will result in effective mitigation. These activities are divided into the following phases: Incident assessment, declaration, and Joint Field Office (JFO) activities.

B. Incident Assessment. Incident may include but is not limited to the following activities:

1. Reviewing local and state mitigation plans including hazard identification / risk assessment; potential mitigation activities; any problems or vulnerable critical infrastructure identified,
2. Participating in CAS briefings,
3. Coordinating with OEP during flood incidents to identified NFIP sanctioned communities in impacted areas, and
5. Participate on joint federal/state hazard mitigation teams formed during the preliminary damage assessment (PDA). Information acquired during this assessment process may be used to identify potential projects, and develop the mitigation strategy for that disaster.

C. Disaster Declaration

1. Develop staffing plan and logistics information for JFO, and
2. Begin to work on Mitigation Action Plan in consultation with FEMA, and OEP (for flood incidents).

D. JFO Activities

1. Develop Mitigation Action Plan (MAP). The MAP will identify the different activities that are to be conducted as a result of the disaster declaration. It will be prepared in consultation with FEMA and OEP,
2. Provide technical and other assistance to impacted communities,
3. Attend meetings / briefings, including FCO meetings,
4. Complete mitigation section of the Recovery Report,
5. Implement MAP, and

6. Conduct Mitigation Briefings. Mitigation staff will offer to conduct countywide mitigation briefings in all counties included in the declaration to discuss mitigation with local officials. Since New Hampshire has frequent disaster declarations, counties sometimes opt to not have a mitigation briefing (they may have had one recently), packets will be offered to them for distribution to local officials.

Briefings are part of the State's education and public awareness process necessary to the effective implementation of mitigation. Local officials will, during this process, be given the opportunity to identify mitigation issues and concerns. Although primarily focused on HMGP eligibility issues, application process/development, and types of mitigation actions; the National Flood Insurance Program, disaster recovery programs, FEMA's other mitigation programs and mitigation planning are also discussed briefly. The briefing is given as a Powerpoint presentation.

VII. APPLICATION PROCESS / PROJECT DEVELOPMENT

A. Concept of Operations.

In this event, due to the severity of flooding in the declared counties and high number of substantially damaged buildings, there will be pilot expedited acquisition/demolition application process, and a normal HMGP project application process.

Expedited application The expedited application would begin with an explanation during the joint NFIP/HMGP briefing that the process is available. Letters of Intent would be requested for such projects based on the following criteria: acquisition/demolition is the chosen mitigation option, the structure has been determined to be substantially damaged (and by virtue of such declaration is in the 100 year floodplain). The expedited applications would be the highest priority projects and would be considered in a much quicker timeframe than normal project applications. Additionally communities submitting expedited applications would get intensive assistance to develop the application. For additional information see **Attachment 16 – Concept Paper Expedited Buyouts through HMGP.**

Normal application The normal application process letters of intent must be submitted first. Letter of intent will be reviewed for program eligibility and project application packages will be sent out for project development (this is to allow for projects that could be withdrawn and for the submission of zero funded projects so all Federal funds can be appropriated and expended). Full project applications will be evaluated by the SHMT after the deadline for submission has passed. Projects will then undergo a cost-effectiveness, environmental, and completeness review conducted by Mitigation staff. Projects will then be submitted to FEMA for approval. It is hoped that this can occur on or near the one year anniversary date of the disaster declaration.

The timeline for this process is as follows:

EXPEDITED APPLICATION	
Time Period	Event
Week 0	Disaster Declared
Week 3-4	Letter of Intent period opens
Weeks 5-6	Letter of Intent period closes
Week 8	Once Letter of intent is received, SHMO will review for eligibility into expedited program and send out application Package.
Week 12	Expedited applications due to HSEM
Week 16	HSEM completes eligibility review
Week 20	SHMT meets to review expedited applications, begin to submit projects to FEMA for approval
Week 32	Completion of submission of projects to FEMA; FEMA begins to approve projects

NORMAL APPLICATION	
Time Period	Event
Week 0	Disaster Declared
Week 3-4	Letter of Intent period opens
Week 8	Letter of intent period closes
Week 10	SHMO sends out application packages.
Week 24	Applications due at HSEM
Week 24-36	HSEM completes eligibility review.
Week 40	SHMT meets to review applications
Week 52	Completion of submission of projects to FEMA; FEMA begins to approve projects

B. Letter of Intent Submission

1. The community will submit a Letter of Intent to the SHMO by the deadline identified on the Letter of Intent.
2. The letter of intent will include;
 - a. local point of contact information (Name, Organization, Address, Telephone Number, and e-mail address)
 - b. an estimated project cost
 - c. A brief description of the project
3. The State Hazard Mitigation Officer will review the letters of intent to ensure the project is eligible for program funding.
4. Only applicants submitting a letter of intent will receive an application package.

C. Full Project Application Development and Submission

1. The SHMO is responsible for ensuring that Application packages and other supporting information is provided to HMGP applicants (**Appendix C – HMGP Project Application**). Application Forms will be provided to the local point of contact, along with other information to assist them in developing the project.

2. Applicants for HMGP funds must submit a complete application. If an applicant is unable to submit a complete application by the above mentioned time frames, their project will be reviewed in the next round of funding.
3. State Hazard Mitigation staff will review all applications to determine if the required information has been provided, and the minimum application and project eligibility criteria have been met. If it has not, the applicant will be notified of the need to provide additional information. Projects will not be approved unless they are complete. Full project applications consist of the following:
 - a. Application must be signed by the chief elected official
 - b. Project Description (Scope of Work)
 - c. Budget with supporting fiscal documentation and funding sources
 - d. Implementation plan, including land use plan if acquisition
 - e. Work schedule
 - f. Other supporting documentation, including public notices and minutes from committee meetings (Flood Insurance Rate Map, and Topographical map of the project area).
4. The SHMT will meet to review and rank the full project applications.
5. For selected applications, state Mitigation staff will then complete the environmental review including the completion of the Record of Environmental Review (REC), cost-effectiveness review including conducting a benefit-cost analysis for each project, and a completeness review. This will be conducted as the final step before sending to FEMA. FEMA is the final decision-maker for all environmental requirements.

VIII. PROJECT REVIEW, RANKING, AND SELECTION

A. Priority

The priorities are established by the State of New Hampshire based on the unique characteristics of the event, Mitigation Action Plan and the State of New Hampshire Standard Mitigation Plan:

- a. Priority will be given to projects in the declared counties over projects in other counties.
- b. If there are enough eligible “bricks and mortar” projects from the declared counties, 5% initiative funds will be folded into general project funds. Similarly 7% planning funds will be folded into general project funds in the same scenario.

B. Review Process

1. The SHMO and/ Mitigation staff will perform the initial review of Letters of Intent and full project applications to ensure all information and documentation is provided. A mitigation staff member will be assigned to each applicant developing a project application. That staff member will make the staff presentation at the SHMT meetings for that particular project.

2. The SHMO will chair the SHMT for the HMGP. Representatives from the following agencies/organizations are permanent members of this team:

- a. Homeland Security and Emergency Management (HSEM)
- b. Department of Environmental Services (DES)
- c. Office of Energy and Planning (OEP)
- d. Department of Transportation (DOT)
- e. Department of Resources and Economic Development (DRED)
- f. Department of Historical Preservation
- g. Federal Emergency Management Agency (FEMA)

3. Additional State Agency representatives will be determined by the nature of the projects for which HMGP funds have been requested. Appropriate Federal agencies may also be asked to help review the merits of certain types of projects.

C. Evaluation and Ranking of Projects

1. The SHMT will review all applications according to established criteria. Evaluation of projects is based on two types of criteria: NFIP compliance and the composite team score.

a. **NFIP Evaluation** – Hampshire Office of Energy & Planning (OEP) will evaluate each community according to NFIP/Floodplain Management criteria utilizing findings from Community Assistance Visits (CAVs) The NFIP evaluation will be based on a file review.

b. **Composite Team Score and Additional Evaluation Criteria** – The membership of the Review Team will evaluate each project according to the other criteria worth another 115 points (see **Appendix B**). Criteria used to evaluate the projects include but are not limited to the following:

1. Whether the community was in the declared or impacted area,
2. Consistency with state and local mitigation plans,
3. The community's ability to manage a grant,
4. Durability (longevity) of the proposed mitigation solution,
5. Repetitive nature of the hazard the mitigation option is designed to protect against,
6. Implementation of day-to-day mitigation programs outside of HMGP,
7. Other criteria as necessary Projects are ranked according to their total evaluation score, highest to the lowest.

2. The SHMT will meet to review HMGP applications.

D. Selection

1. Project application, following the evaluation and ranking of projects, the SHMT will make the following recommendations to the GAR:

- a. Projects recommended for approval, and,
- b. The order in which projects should be funded (i.e., a listing of the projects by priority).

2. In the event two or more projects are tied in rank, they will be listed according to their benefit-cost ratios (B/C). In the event of another tie, the NFIP score will determine the highest score.

3. The GAR will make the final decision regarding the selection, level of funding for, and ranking of projects by priority. Those projects not selected for funding will be forwarded to FEMA for approval as zero funded projects. This means that if additional funds become available, or if cost-underruns occur in other projects, the zero funded project can receive funding for the approved project.

4. The GAR will notify all applicants of the decision made by the state relative to their proposed project. All applications will be forwarded to FEMA for their review and final approval.

5. All approved mitigation projects must be submitted to FEMA for environmental concurrence and obligation of funds twelve (12) months from the date of the disaster declaration. If necessary, the state can request up to two additional (2) ninety (90) day extensions to the one

year application deadline (for a total of 18 months). FEMA must obligate all HMGP funds within twenty-four (24) months of the declaration date.

E. Award

1. FEMA will sign the REC and approve projects when all submittal requirements are met and in a timely manner. Within seven (7) days of project approval, the state will be notified.
2. Prior to project approval and if notice has been received by the SHMO, the local official of the community (project point-of-contact), the HSEM Field Liaison, the HSEM PIO (if not already notified), and HSEM Director will be notified by the SHMO. Preferably this will be done by e-mail or FAX to ensure that local and state staff are aware in the case that there is media follow-up due to an early FEMA and/or Congressional press release.
3. After either a FAXed or mailed copy of the FEMA approval of a project has been received by the State Hazard Mitigation Officer, a congratulatory letter followed by the State/Local Agreement and other administrative forms from the SHMO.

IX. PROJECT INITIATION

A. General

1. Homeland Security & Emergency Management will serve as the Grantee for project management and accountability of funds in accordance with 44 CFR Part 13 and appropriate OMB Circulars. (Sub-grantees are accountable to the Grantee for funds that have been awarded to them and will utilize the same resources.)
2. The SHMO will provide the approved community with the State/Local Agreement, (see **Attachments 1**). The Chief Elected Officials (CEO) must sign the agreement and return to the SHMO within thirty (30) days of receipt. If a problem should arise with the agreement, the SHMO should be notified as soon as possible to avoid any delays in beginning the project.
3. Upon receipt of the signed agreement the SHMO will initiate the process of the execution of the agreement with the Governor & Executive Council.
4. The designated local Project Manager will meet with the Mitigation Project Manager within thirty (30) days of submission of the signed State/Local agreement (see Section program monitoring on more specific information on this *Implementation Meeting*).
5. Based upon the approved project application and work schedule for a project, both the HSEM and local community will implement a record keeping and financial system relative to the project.
6. Sub-grantees will submit quarterly progress reports (**Attachment 3**) to the SHMO. Program regulations and this Administrative Plan identifies specific due dates for these reports (see Section Grant Monitoring – Reports.). The SHMO will submit quarterly progress reports to FEMA. The final report will be a complete assessment of project accomplishments and will meet 44 CFR Part 206 requirements.
7. The Mitigation Project Managers will monitor and evaluate project accomplishments, and adherence to the work schedule. Problems will be reported to the SHMO, and FEMA HMO as soon as identified.
8. The Mitigation Project Manager, SHMO, will review advance of funds requests, time extension requests, and cost overruns. Time extensions will be granted at three-month intervals.
9. The Mitigation project Manager will coordinate individual project close out and the SHMO will coordinate the overall grant closeout.

B. Advance of Funds

1. The state may advance a portion of the federal share of the cost of an approved hazard mitigation project.
2. An initial advance will be made to an applicant based on expenditures necessary to start the project; ensuring that the remaining work to be completed is well within the dollar amount of the approved project. Additional advances will be made as long as expenditures can be documented, good recordkeeping is maintained, and sound fiscal procedures are used.
3. A request for an advance of funds must be submitted in writing to the SHMO. The request must be made using the form in **Attachment 2**. Request for funds should be made at least 4 – 6 weeks prior to the identified need, and should be expended within thirty (30) days of receipt.
4. If the request for an advance of funds is approved, disbursement documentation will be prepared and the applicant advised that its request has been approved. The applicant will also be advised as to the dollar amount approved, and the approximate date by which a state warrant may be expected.
5. If the request is denied, the applicant will be so advised, and given the reason for the denial. Requests will be denied if the sub-grantee is not up-to-date in submitting quarterly reports.

C. Time Limits and Extensions

1. Time Limits

a. As a general rule, projects must be initiated within ninety (90) days of the approval date. When FEMA approves a project, the initial approval period is (3) three years, however, the state-local grant agreement has a timeframe of two (2) years from the date of project approval by FEMA. Exceptions to these time limits may be granted for certain types of projects and/or special circumstances.

2. Time Extensions

a. If a sub-grantee determines that it will not be able to complete its project by the time specified in the state-local grant agreement, it must immediately notify the Mitigation Branch Project Manager, and request a time extension. In its letter, the sub-grantee must:

1. Explain why it will not be able to meet the completion deadline;
2. What project work remains;
3. When it anticipates the project will be completed.
4. Provide a signed request for extension by the appropriate local authority.

b. Upon receipt of the time extension request, the Mitigation Branch Project Manager will review the request for appropriateness and determine whether the extension request is necessary for the state-local agreement, for the FEMA approval, or both. The Mitigation Branch Project Manager will send the extension request form (for a state-local agreement extension request) to the sub-grantee for signature. If a FEMA extension request is needed, the Mitigation Branch Project Manager will complete the extension request form and prepare the request letter for the GAR signature. **Extension requests to the FEMA period of performance must be submitted to the FEMA Regional Office no later than 60 days prior to the expiration of the period of performance.**

c. The Mitigation Project Manager will then forward the request, signed form(s) and prepared letters (if necessary) with a recommendation to the SHMO who will then forward the request to the GAR and/or FEMA (if necessary), along with a recommendation for approval or disapproval.

d. The Mitigation Branch Manager is responsible for ensuring that projects are operational within approved timeframes.

D. Cost Overruns/Under runs

1. Sub-grantees will be required to notify their assigned Mitigation Program Manager by letter as soon as they determine that they will have a project cost overrun. The letter should include the dollar amount of the overrun, the reason for the overrun, and an appropriate justification and documentation (invoices, copies of contracts, pictures, and so on) to support the additional costs.
2. The SHMO in consultation with the Mitigation Project Manager will evaluate each cost overrun. If the evaluation indicates that the cost overrun is justified, *and if funds are available*, the SHMO may recommend the approval of cost overruns. Cost overruns will be approved only if funds are available in the grant program to support the additional amount requested.
3. The SHMO will forward all such cost overruns, along with a recommendation for approval, to the FEMA Region 1, Regional Administrator. The Regional Administrator will notify the SHMO of the final determination made on the overrun.
4. The community must notify the SHMO as soon as possible if a cost under runs *will* occur.
5. Any request for deviation from an approved project must be consistent with and approved in accordance with current FEMA policy guidance as it relates to a change of project scope. This may trigger the need to review the project environmentally and a new benefit-cost analysis completed. FEMA must approve the amended project.

X APPEALS

An eligible applicant or sub-grantee may appeal a decision made by the Mitigation Branch staff regarding projects submitted for funding under the HMGP. The appeal must be in writing, and contain sufficient additional information beyond that submitted with the original application, to warrant consideration.

There are two types of appeals: those appealing state policies and those appealing Federal (FEMA) policies. The appeal will be made to the SHMO who will then determine whether the appeal is to a state policy or Federal policy. Upon this determination, the processes identified below will be followed accordingly.

Appeals relate to state decisions based on state policies such as determinations made by the State Hazard Mitigation Team, NFIP compliance, state mitigation priorities, state/local agreement issues, reasonable and necessary costs associated with project management, etc. are usually state appeals.

For issues regarding program eligibility, time extensions beyond the FEMA approved time for the grant overall, determination of allowable project management costs, allowable project costs, and other project implementation requirements, or the state's interpretation of any Federal policy related to these issues is usually a Federal appeal.

Any appeal disputing the benefit-cost ratio (BCR) for a specific property or project must be accompanied by a benefit-cost analysis conducted by the appellant in accordance with FEMA guidelines.

A. State Appeals There are two levels of state appeal. The State Coordinating Officer (SCO) for Grants is the decision-maker for the first appeal. If a second appeal is necessary the Governor's Authorized Representative (GAR) makes the decision on the second appeal.

1. All applicant appeals must be submitted in writing to the SCO within thirty (30) days of the date of the letter notifying the applicant of the State Mitigation Officers decision. The SCO will respond within thirty (30) days of the applicant's letter.

2. If the applicant does not agree with this decision they can appeal to the GAR. The applicant must provide additional information supporting their position to the GAR within thirty (30) days of the first decision letter. The GAR will respond within thirty (30) days of receipt of the request for appeal. The GAR's decision is final and no other state appeals will be considered.

3. The GAR may, on behalf of an applicant or the state, request guidance and/or a decision from FEMA related to an applicants appeal to the state. If guidance is requested from FEMA, the GAR will notify the applicant and an additional thirty (30) days will be added to the time frame for response from the GAR.

B. Federal Appeals The applicant or sub-grantee has the option of appealing to FEMA for a decision relating to Federal policy.

1. In that instance the appeal will be in writing, and will be submitted to the SHMO. All Federal appeals on behalf of the applicant or state are made by the Executive Director, the Homeland Security and Emergency Management Agency.

2. The Mitigation Branch may prepare materials and information including a summary and staff recommendation related to the issue being appealed to be forwarded to FEMA.

3. The appeal will then be forwarded to the FEMA Regional Administrator within sixty (60) days of the date the applicant requests the appeal.

4. Per the 44 CFR Part 206.440 FEMA will respond within ninety (90) days.

5. An appeal of the FEMA decision may be made within the following ninety (90) days to the FEMA Associate Director in Washington. FEMA will respond within ninety (90) days and the decision is final. No other appeals exist. FEMA's decision will be in writing to the state. The state will copy the applicant with FEMA's decision.

XI. TECHNICAL ASSISTANCE

As a general rule, applicants for HMGP funds will be responsible for obtaining any technical assistance they may need in order to develop a hazard mitigation project proposal, or to carry out a hazard mitigation project. Technical assistance will be available from the New Hampshire Homeland Security & Emergency Management mitigation staff, and FEMA Region 1, Mitigation Division. Applicants may also request assistance from Regional Planning Commissions, and State agencies. Applicants who want such assistance will be advised to notify the SHMO.

XII. PLAN REVIEW AND UPDATING

A. This Administrative Plan and procedures will be reviewed annually by the SHMO or when a Presidentially declared disaster occurs, whichever comes first, to ensure compliance with law, implementing regulations, and state policies. It will be updated as needed to reflect regulatory or policy changes, or to improve program administration and will be submitted to FEMA for approval during the second quarter of the federal fiscal year.

B. Following a Presidential disaster declaration, the SHMO will prepare any updates, amendments, or revisions to the plan that are required in order to meet current policy guidance or changes in the administration of the HMGP, and submit the plan to FEMA for approval.

C. FEMA will reply in writing that the plan is approved and/or if any further revisions required. FEMA will provide a timeframe for submission of any corrections in their letter.

D. At this time the Grantee's decision regarding the FEMA policy memo dated November 26, 2007 on Section 324 Management Costs the 4.89% will be allocated to the State for the purpose of managing the HMGP program.

Sub-grantee management costs – There will be No management cost allocated for projects. Exception – If the project requires on-site management during construction. However, these costs must be reflected in the project budget.

Appendicies

Appendix A - HMA PROJECT EVALUATION FORMS

SCORING THE APPLICATIONS

As a member of the SHMT, you are being asked to score each of the project applications based on the criteria used in the National Evaluation (explained in detail below). Each of the applications will be scored with a scoring range from 0-100 based on the percentage breakdown that is in keeping with the breakdown that will be used by FEMA and the National Evaluation Panel. An example scoring sheet, blank scoring sheet and project applications are attached.

This composite team score will be then combined with a score completed by HSEM staff using the National Review criteria – these are objective criteria that either the applicant/application does or does not have. The combined score will then be used to rank the projects for submission to the national competition. If you find the application doesn't contain the information you need for a particular scoring portion, we will have the full application plus all attachments at the team meeting. During the team meeting, each project will be reviewed and discussed before scores will be added. A composite score will be developed. The excerpts below are from the larger guidance document from FEMA which can be found at:

[Insert HMA Guidance Link](#)

This is provided for your background and to offer insight into FEMA's evaluation and ranking process. It is hoped by going through this exercise that we will select and forward the "best of the best" projects from New Hampshire.

Thank you!!!

NATIONAL RANKING (This will be done by HSEM staff)

FEMA will score all eligible mitigation planning and project sub-applications on the basis of predetermined, objective, quantitative factors to calculate a National Ranking Score for each sub-application. All mitigation planning and project sub-applications will be sorted in descending order based on National Ranking Scores. FEMA will forward from the National Ranking to the National Evaluation the highest scoring sub-applications representing not less than 150 percent of available funds.

National Ranking factors are:

National Ranking Factor	Plans	Projects
The priority given to the sub-application by the Applicant in their PDM grant application (35% - this criteria will obviously not be included as part of the HSEM scoring as it will be the outcome of scoring the other factor plus the SHMT composite score from the National Evaluation Criteria)	35%	35%
Assessment of frequency and severity of hazards	30%	N/A
Whether the Applicant has a FEMA-approved Enhanced State/tribal hazard mitigation plan by the application deadline	15%	20%
Community mitigation factors such as Community Rating System class, Cooperating Technical Partner, participation as a Firewise Community, and adoption and enforcement of codes including the International Code Series and National Fire Protection Association 5000 Code, as measured by the Building Code Effectiveness Grading Schedule	15%	15%
The percent of the population benefiting, which equals the number of individuals directly benefiting divided by the community population	N/A	15%
Whether the project protects critical facilities	N/A	10%
Status of the local sub-applicant as a small and impoverished community	5%	5%
TOTAL POINT VALUES	100%	100%

NATIONAL EVALUATION (This will be done by the New Hampshire State Hazard Mitigation Team)

National panels, chaired by FEMA and composed of representatives from FEMA Headquarters and Regions, other Federal agencies, states, territories, Federally recognized Indian tribal governments, and local governments will convene to evaluate the mitigation planning and project sub-applications forwarded from the National Ranking. Evaluators will score sub-applications based on predetermined qualitative factors to calculate a National Evaluation Score for each sub-application. FEMA will ensure that panel evaluations are conducted consistently and fairly with no conflicts of interest. All mitigation planning and project sub-applications will be granted equal consideration during the National Evaluation regardless of their National Ranking Score. After the National Evaluation is completed, all planning and project sub-applications will be sorted in descending order based on National Evaluation Scores.

National Evaluation criteria (NEC) are:

National Evaluation Factor	Plans	Projects
Strategy for and identification of appropriate and useful performance measures to assure the success of the proposed mitigation activity	30%	30%
Sufficient staff and resources for implementation of the proposed mitigation planning process or proposed mitigation project	30%	20%
Thoroughness of SOW that demonstrates an understanding of the planning process and a methodology for completing the proposed mitigation plan	30%	NA
Project sub-application demonstrates that the proposed mitigation activity reduces the overall risks to the population and structures	NA	20%
Durability of the financial and social benefits that will be achieved through the proposed mitigation project	NA	15%
Leveraging of Federal / State /tribal /territorial /local & private partnerships to enhance the outcome of the proposed activity	5%	5%
Description of unique or innovative outreach activities appropriate to the planning process (e.g., press releases, success stories) that advance mitigation and/or serve as a model for other communities	5%	NA
Protection of critical facilities	NA	5%
Inclusion of outreach activities appropriate to the proposed mitigation project	NA	5%
TOTAL POINT VALUES	100%	100%

*** Critical facilities are defined in FEMA's PDM Guidance as Hazardous Materials Facilities, Emergency Operation Centers, Power Facilities, Water Facilities, Sewer and Wastewater Treatment Facilities, Communications Facilities, Emergency Medical Care Facilities, Fire Protection, and Emergency Facilities.**

Scoring Example

Community Name & Project: City of Floodville Depot St. storm water management project

Criteria	Max Points	Score
Strategy for and identification of appropriate and useful performance measures to assure the success of the proposed mitigation activity (30% of NEC)	30	15
Sufficient staff and resources for implementation of the proposed mitigation planning process or proposed mitigation project (20% of NEC)	20	20
Project sub-application demonstrates that the proposed mitigation activity reduces the overall risks to the population and structures (20% of NEC)	20	10
Durability of the financial and social benefits that will be achieved through the proposed mitigation project (15% of NEC)	15	7
Leveraging of Federal / State /tribal /territorial /local & private partnerships to enhance the outcome of the proposed activity (5% of NEC)	5	1
Protection of critical facilities (as defined in Section 5.1, Eligible Mitigation Project Activities) (5% of NEC)	5	0
Inclusion of outreach activities appropriate to the proposed mitigation project (e.g., signs, press releases, success stories, losses avoided analysis) that advance mitigation and/or serves as a model for other communities (5% of NEC)	5	5
TOTAL POINT VALUES	100%	58

Blank Score Sheet

Community Name & Project: _____

Criteria	Max Points	Score
Strategy for and identification of appropriate and useful performance measures to assure the success of the proposed mitigation activity (30% of NEC)	30	
Sufficient staff and resources for implementation of the proposed mitigation planning process or proposed mitigation project (20% of NEC)	20	
Project sub-application demonstrates that the proposed mitigation activity reduces the overall risks to the population and structures (20% of NEC)	20	
Durability of the financial and social benefits that will be achieved through the proposed mitigation project (15% of NEC)	15	
Leveraging of Federal / State /tribal /territorial /local & private partnerships to enhance the outcome of the proposed activity (5% of NEC)	5	
Protection of critical facilities (as defined in Section 5.1, Eligible Mitigation Project Activities) (5% of NEC)	5	
Inclusion of outreach activities appropriate to the proposed mitigation project (e.g., signs, press releases, success stories, losses avoided analysis) that advance mitigation and/or serves as a model for other communities (5% of NEC)	5	
TOTAL POINT VALUES	100%	

Appendix B - HMGP PROJECT EVALUATION FORMS

SCORING SHEET AND INSTRUCTIONS

As a member of the SHMT, you are being asked to score each of the applications based on criteria similar to that used in the National Evaluation for the Pre-Disaster Mitigation Program and criteria found in 44 CFR 206.434. Please score each of the applications using a scoring range from 0-110 based on the breakdown on the blank scoring sheet. The evaluation criteria, an example scoring sheet, blank scoring sheet and project applications are attached.

You may find that the application doesn't contain the information you need for a particular scoring portion. You have access to nearly all of the information that was forwarded to our office in the PDF file. This is also the reason for the team meeting. At the meeting, HSEM Mitigation staff assigned to that application will provide a staff report. They will attempt to ensure that it has been completed fully and will also try to collect additional information/background on the project idea such as give an early indication of cost effectiveness (where data is available) and insight into local match commitment. Also, other team members will provide important input that may factor into your score. For example, the HSEM may be able to provide insight into the community's ability to manage a complex grant (this gets at the financial and staff resources which is the third factor in scoring). The Office of Energy and Planning will be able to provide insight as to whether a community is doing day-to-day mitigation through participation in the Community Rating System (CRS), and doing their National Flood Insurance Program (NFIP) responsibilities.

During the SHMT meeting, each project will be reviewed and discussed before scores will be requested – you can and should adjust your score based additional information from this discussion!

After the meeting, a composite score will be developed. This composite score will be used to rank the applications. A separate NFIP score will be provided by the Office of Energy & Planning after the meeting, as they will be utilizing a Self Assessment Survey. The top ranked, most likely eligible projects will be forwarded to FEMA for their final approval and funding.

PLEASE NOTE THAT ALL PROJECTS, TO BE APPROVED BY FEMA UNDER HMGP MUST MEET MINIMUM ELIGIBILITY CRITERIA! These criteria include environmental suitability, cost effectiveness, eligibility of the mitigation action proposed, mitigation plan consistency, and being in good standing with the NFIP.

The goal of going through this exercise is to select and forward the “best of the best” projects from New Hampshire in a fair and objective manner.

EVALUATION CRITERIA

Evaluation factors for mitigation projects under HMGP and the respective weighting of each are:

1. Was the community in the declared disaster area? (25 percent – this is an all or nothing score);
2. Viability of the proposed mitigation project. Is it an appropriate strategy? Is it consistent with community plans/goals? Is it potentially cost-effective? Does it solve a problem independently or constitute a functional portion of a solution? (25 percent);
3. Sufficient staff and resources for implementation of the proposed mitigation project (15 percent);
4. Durability of the financial and social benefits that will be achieved through the proposed mitigation project. Will the mitigation option, to the extent practicable, contribute to a long term solution to the problem it is intended to address? (15 percent);
5. Does the proposed mitigation project address a hazard where there has been repetitive impacts or occurrences in the project area? (10 percent);
6. Protection of critical facilities as defined below (5 percent)*;
7. Inclusion of outreach activities appropriate to the proposed mitigation project (e.g., signs, press releases, success stories, losses avoided analysis) that advance mitigation and/or serves as a model for other communities (5 percent); and
8. BONUS: If the project is for flood hazard mitigation, does it include acquisition/demolition which is the priority mitigation activity for the State of New Hampshire? (10 points – this is an all or nothing score);
9. BONUS: Does community participate in other mitigation programs (CRS, FEMA CTP, Firewise)? (5 points);

***Per FEMA PDM Guidance, critical facilities are defined as Hazardous Materials Facilities, Emergency Operation Centers, Power Facilities, Water Facilities, Sewer and Wastewater Treatment Facilities, Communications Facilities, Emergency Medical Care Facilities, Fire Protection, and Emergency Facilities**

Scoring Example

Community Name & Project: City of Floodville Depot St. storm water management project

Criteria	Max Points	Score
Was the community in the declared disaster area? (25 percent – this is an all or nothing score)	25	25
Viability of the proposed mitigation project. Is it an appropriate strategy? Is it consistent with community plans/goals? Is it potentially cost-effective? Does it solve a problem independently or constitute a functional portion of a solution? (25 percent)	25	15
Sufficient staff and resources for implementation of the proposed mitigation project (15 percent)	15	10
Durability of the financial and social benefits that will be achieved through the proposed mitigation project. Will the mitigation option, to the extent practicable, contribute to a long term solution to the problem it is intended to address? (15 percent)	15	15
Does the proposed mitigation project address a hazard where there has been repetitive impacts or occurrences in the project area? (10 percent);	10	5
Protection of critical facilities (5 percent)	5	0
Inclusion of outreach activities appropriate to the proposed mitigation project (e.g., signs, press releases, success stories, losses avoided analysis) that advance mitigation and/or serves as a model for other communities (5 percent);	5	1
BONUS: If the project is for flood hazard mitigation, does it include acquisition/demolition which is the priority mitigation activity for the State of New Hampshire? (10 points – this is an all or nothing score)	10	0
BONUS: Does community participate in other mitigation programs (CRS, FEMA CTP, Firewise)? (5 points)	5	0
Total Score	115	71
	100 +15 Bonus Points	

Blank Score Sheet

Community Name & Project: _____ t

Criteria	Max Points	Score
Was the community in the declared disaster area? (25 percent – this is an all or nothing score)	25	
Viability of the proposed mitigation project. Is it an appropriate strategy? Is it consistent with community plans/goals? Is it potentially cost-effective? Does it solve a problem independently or constitute a functional portion of a solution? (25 percent)	25	
Sufficient staff and resources for implementation of the proposed mitigation project (15 percent)	15	
Durability of the financial and social benefits that will be achieved through the proposed mitigation project. Will the mitigation option, to the extent practicable, contribute to a long term solution to the problem it is intended to address? (15 percent)	15	
Does the proposed mitigation project address a hazard where there has been repetitive impacts or occurrences in the project area? (10 percent);	10	
Protection of critical facilities (5 percent)	5	
Inclusion of outreach activities appropriate to the proposed mitigation project (e.g., signs, press releases, success stories, losses avoided analysis) that advance mitigation and/or serves as a model for other communities (5 percent);	5	
BONUS: If the project is for flood hazard mitigation, does it include acquisition/demolition which is the priority mitigation activity for the State of New Hampshire? (10 points – this is an all or nothing score)	10	
BONUS: Does community participate in other mitigation programs (CRS, FEMA CTP, Firewise)? (5 points)	5	
Total Score	115	
	100 +15 Bonus Points	

Appendix C - Hazard Mitigation Grant Program Application